

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

November 9, 2012

**Elisabeth A. Shumaker
Clerk of Court**

RANDY KAILEY,

Plaintiff - Appellant,

v.

RUEBEN BASTIDOS, individually, and in his official capacity as Swing Shift Security Commander for the Colorado Territorial Correctional Facility; THOMAS BENTLEY, individually, and in his official capacity as Swing Shift Security Staff Officer for the Colorado Territorial Correctional Facility; GREGORY BRADFORD, individually, and in his official capacity as Swing Shift Security Staff Officer for the Colorado Territorial Correctional Facility; JOHN DOE 1 AND 2, in their individual capacities and as Officers for the Sterling, Colorado and Colorado Territorial Correctional Facilities; MARK BUTTONS, individually, and in his official capacity as Day Shift Kitchen Line Officer for the Colorado Territorial Correctional Facility; MARY KEEGAN, individually, and in her official capacity as Day Shift Kitchen Line Officer for the Colorado Territorial Correctional Facility; WALTER FORWARD, individually, and in his official capacity as Day Shift Maintenance Officer for the Colorado Correctional Facility,

Defendants - Appellees.

No. 12-1361

(D.C. No. 1:11-CV-00145-REB-BNB)

ORDER

The captioned appeal is dismissed for lack of prosecution pursuant to 10th Cir. R.

42.1.

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a long horizontal flourish.

ELISABETH A. SHUMAKER, Clerk